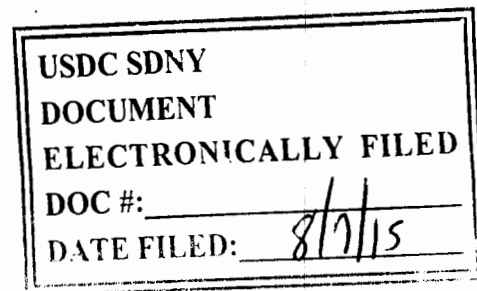


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LEENA VARUGHESE,

Plaintiff,

-against-

No. 12 Civ. 8812 (CM)

MOUNT SINAI MEDICAL CENTER, ET AL.

Defendants.

ORDER DENYING IN FORMA PAUPERIS RELIEF

McMahon, J.:

On March 27, 2015, the Court entered summary judgment in favor of defendants and against plaintiff Leena Varughese, who was proceeding *pro se*. Ms. Varughese subsequently noticed an appeal and sought to proceed *in forma pauperis*.

Ms. Varughese's application for *in forma pauperis* relief does not state her marital status, and does not list any spousal assets.

On May 11, 2015, I issued the following order:

Magistrate Judge Francis and I both believe that Dr. Varughese is married, but no income from a spouse is listed. Dr. Varughese must certify under oath that she is not married or provide spousal income information before I will act on this application. This is of importance because the appeal, in the opinion of this Court, raises no substantial question.

Docket #228.

On June 10, 2015, the *pro se* office docketed a letter from Ms. Varughese, in which she stated, in pertinent part:

As for my application for in forma pauperis [relief], I submitted the application form containing an affidavit requiring a signature, that I signed, as required, which I still attest contain true facts, even that is inexplicably challenged by Your Honor

with regards to my marital status. In my opinion, Your Honor's anger overtook your rational mind, and your response to my request is to attack my application on the most farcical belief held by yourself, and allegedly, Judge Francis, despite the evidence to the contrary . . .

Docket #229 at 2 of 23.

Ms. Varughese did indeed sign an affidavit. The issue, however, is that one cannot tell from that affidavit whether she is married, because she does not say so one way or the other. Ms. Varughese's June letter, despite its passion, does not actually clarify the factual question whether she is married.

Because of Ms. Varughese's unwillingness to plainly state whether she is married, I am denying her request for *in forma pauperis* relief.

However, that does not doom Ms. Varughese's application.

Under Federal Rule of Appellate Procedure 24(a)(5), Ms. Varughese has the right to ask the appellate court for *in forma pauperis* relief. She should do so within thirty days of the date of this order, which is being sent to her via both United States mail, and via electronic mail, using the address with which she has previously corresponded with the Court's deputy.

Dated: August 6, 2015



U.S.D.J.

BY FIRST CLASS MAIL AND ELECTRONIC MAIL TO MS. VARUGHESE
BY ECF TO MS. VARUGHESE AND ALL COUNSEL